

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RONALD ROSS,

Plaintiff.

v.

SEARS ROEBUCK & COMPANY,
a/k/a SEARS ROEBUCK & CO.,

Defendant.

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CA No. 06-272 (SLR)

NOTICE OF ORAL DEPOSITION TO FREDERICK KURZ, PHD.

PLEASE TAKE NOTICE that Defendant Sears, Roebuck and Co., by its undersigned attorneys, hereby demands that Frederick Kurz, Ph.D. be produced for oral deposition under oath at the office of Ballard Spahr Andrews & Ingersoll, LLP, 919 Market Street, 12th Floor, Wilmington, Delaware, on **Thursday, July 24, 2008** beginning at **10:00 a.m.**

The deposition will be taken for the purposes of discovery and all other purposes provided by law. In accordance with the Federal Rules of Civil Procedure, Defendant Sears, Roebuck and Co. will be inquiring into the following matter at the deposition:

Psychological Evaluation of April 13, 2004

Dated: June 13, 2008

/s/ Katie A. D'Emilio

Katie A. D'Emilio, Esquire (No. 4824)

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-and-

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Counsel for the Defendant

CERTIFICATE OF SERVICE

I, Katie A. D'Emilio, do hereby certify that on the 13th day of June 2008, I caused a true and correct copy of Defendant Sears, Roebuck and Co. 's Deposition Notice to Frederick Kurz, Ph.D. to be served by via first class regular mail, postage prepaid, upon the following individual:

Gary W. Aber, Esquire
702 King Street, Suite 600
P.O. Box 1675
Wilmington, DE 19899-1675

Attorney for Plaintiff

/s/ Katie A. D'Emilio
Katie A. D'Emilio, Esquire (No. 4824)